

January 9, 2004

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Gentlemen:

Re: Maine State Employees Association, SEIU Local 1989 v. York County,
No. 04-04 (MLRB filed July 7, 2003)

This letter schedules the evidentiary hearing in the above-referenced case. Maine Labor Relations Board (Board) prohibited practice procedures are governed by the State Employees Labor Relations Act, 26 M.R.S.A. §§ 979 - 979-R (1988 & Supp. 2003), and Chapter 12 of the Board Rules and Procedures.

Evidentiary Hearing

The Board has set the evidentiary hearing for Thursday, March 4, 2004, at 9:00 a.m. in the Board Hearing Room, located at 242 State Street, Augusta. The hearing will continue, as necessary, on March 18, 23 and 26, 2004. The representatives of the parties are urged to appear at 8:30 a.m. on the morning of the scheduled hearing, at which time the executive director or his designee will attempt to facilitate a settlement of this dispute by Consent Order of the Board. On the other hand, if the parties believe that settlement is not possible, there is no need to appear prior to the scheduled start of the hearing. Please discuss this suggestion with the representative of the opposing party and notify the executive director if you are interested in participating in this settlement opportunity.

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-2-

January 9, 2004

At the evidentiary hearing the Board will receive evidence and hear argument in support of and in dispute of the alleged violations. You must submit seven (7) copies of any additional exhibit not previously marked for identification that is offered into evidence at the hearing (five for the Board and one for each party). The Board will allow oral argument and may require post-hearing briefs.

The parties must equally share the per diem and expenses of Board members for days of evidentiary hearing and deliberations, and a proportion of the costs of administration of the Board's dedicated revenue account. See 26 M.R.S.A. § 968(1) (1988 & Supp. 2003). The enclosed invoice reflects an estimate of these costs. Payment is due upon receipt. The parties will be reimbursed for overpayments and will be billed for costs beyond the estimate. After hearing, the Board may tax all costs, expenses and attorney fees to a party who has presented a frivolous complaint or defense or who has committed a blatant statutory violation.

Scheduling Conflicts

You must contact me within seven (7) calendar days of the date of this letter if the date and time specified above for the evidentiary hearing conflict with a previously-scheduled administrative or court matter requiring the attendance of a party, a necessary witness or representative. A copy of the document scheduling any such required attendance must be filed in support of any request for continuance.

Auxiliary Aids or Services

Please notify me, at least two (2) weeks in advance of the evidentiary hearing, if a party, representative or witness is disabled and will require auxiliary aids or services in order to participate fully.

Very truly yours,

Marc P. Ayotte

MPA/rap
Enclosure
pc: Board Members des Rosiers, Hamm, Whitney